

IN THE UNITED STATES DISTRICT COURT FOR THE
EASTERN DISTRICT OF VIRGINIA

Alexandria Division



UNITED STATES OF AMERICA)

v.)

JAMES Y. SOHN,
Defendant.)

Criminal No. 1:13-cr-162

STATEMENT OF FACTS

The parties stipulate that the allegations in the Criminal Information and the following facts are true and correct, and that had the matter gone to trial the United States would have proven them beyond a reasonable doubt with competent and admissible evidence:

1. The defendant, JAMES Y. SOHN, is the owner of Washington Food & Supply of DC, Inc., a wholesale food distribution company based in the Washington, D.C. metropolitan area. SOHN also owns commercial real estate in various partnerships, including at least one property with Y.H. Washington Food & Supply is a high volume cash business.

2. From in or about 2007 through the present, Y.H. was the owner and operator of Pacific Realty, a real estate sales and leasing company based in Annandale, Virginia.

3. From in or about 2007 through in or about 2012, in Fairfax County, Virginia within the Eastern District of Virginia, and elsewhere, JAMES SOHN knowingly, willfully, and unlawfully combined, conspired, confederated and agreed with Y.H., and others, both known and unknown, to commit offenses against the United States, namely wire fraud, in violation of Title 18, United States Code, Section 1343, by having devised a scheme and artifice to defraud, and for obtaining money and property by means of materially false and fraudulent pretenses, representations, and promises, transmitted and caused to be transmitted by means of wire in

interstate or foreign commerce, writings, signs, and signals for the purpose of executing such scheme and artifice.

4. On multiple occasions, SOHN provided Y.H. with paper bags full of cash, which was income from his high-volume cash businesses. In exchange, Y.H. wrote SOHN checks and made wire transfers. On some occasions, Y.H. wrote checks directly payable to SOHN; on other occasions, Y.H. left the payee line blank, and SOHN used the checks to pay bills or expenses. Y.H. made these financial transactions in order to assist SOHN in his efforts to avoid reporting income from his cash businesses and to avoid paying the appropriate state and federal taxes.

5. Among the checks and wire transfers Y.H. paid to SOHN, or individuals or companies on SOHN's behalf, Y.H. made a \$50,000 wire transfer from her Virginia Commerce Bank Pacific Realty Escrow account ending -1879 to SOHN's PNC bank account ending -6142 on May 14, 2010. This and other transactions involved in the scheme caused writings, signs, and signals to be transmitted by interstate wire in furtherance of the conspiracy.

6. Over the period of approximately 2006 to the present, SOHN invested in various real estate ventures, including grocery stores and shopping centers, with various other investors including Y.H. and M.S.K.. While the majority of SOHN's investments came from the proceeds of income from Washington Food & Supply of DC, Inc., that was reported on SOHN's tax returns via flow through K-1's received from Washington Food & Supply of DC, Inc., a portion of his investments came from cash that was also from Washington Food & Supply of DC, Inc. but not reported on SOHN's personal tax returns.

7. During the course of their conspiracy, SOHN and Y.H. defrauded the United States government and the State of Maryland of more than \$400,000 and less than \$1,000,000 in federal and state taxes.

* * * *

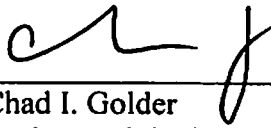
8. The acts taken by the defendant in furtherance of the offense charged in this case, including the acts described above, were done willfully and knowingly with the specific intent to violate the law and were done not as a result of accident, mistake or other innocent reason.

9. The defendant acknowledges that the foregoing statement of facts does not describe all of the defendant's conduct relating to the offense charged in this case nor does it identify all of the persons with whom the defendant may have engaged in illegal activities.

Respectfully submitted,

Neil H. MacBride
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Date: 4/12, 2013

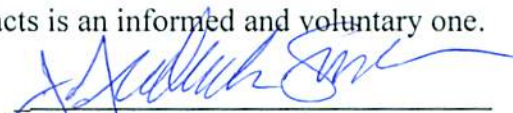
After consulting with my attorney and the United States, I hereby stipulate that the above Statement of Facts is true and accurate, and that had the matter proceeded to trial, the United States would have proved the same beyond a reasonable doubt.

Date: 5/8/2013


JAMES Y. SOHN, Defendant

I am JAMES Y. SOHN's attorney. I have carefully reviewed the above Statement of Facts with her. To my knowledge, her decision to stipulate to these facts is an informed and voluntary one.

Date: 5/8/2013


J. Frederick Sinclair, Esq.